

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
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FINAL VERBATIM RECORD OF THE THREE HUNDRED AND FIFTY-EIGHTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 23 January 1968, at 10.30 a.m.

Chairman:

Mr. J.A. de ARAUJO CASTRO

(Brazil)

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PRESENT AT THE TABLE

Brazil:

Mr. J.A. de ARAUJO CASTRO
Mr. C.A. de SOUZA e SILVA
Mr. E. MOREIRA HOSANNAH
Mr. A. da COSTA GUIMARAES

Bulgaria:

Mr. K. CHRISTOV
Mr. B. KONSTANTINOV

Burma:

U KYAW MIN

Canada:

Mr. E.L.M. BURNS
Mr. A.G. CAMPBELL
Mr. J.R. MORDEN
Mr. A. BERNIER

Czechoslovakia:

Mr. P. WINKLER
Mr. T. LAHODA
Mr. V. VAJNAR

Ethiopia:

Mr. A. ZELLEKE
Mr. A. ABDELRAHMAN NOUR

India:

Mr. M.A. HUSAIN
Mr. N. KRISHNAN
Mr. K.P. JAIN

Italy:

Mr. R. CARACCILO
Mr. G.P. TOZZOLI
Mr. E. FRANCO
Mr. F. SORO

Mexico:

Mr. A. GOMEZ ROBLEDO
Mr. A. CARRANCO AVILA

Nigeria:

Alhaji SULE KOLO
Mr. B.O. TONWE

Poland:

Mr. M. BLUSZTAJN
Mr. E. STANIEWSKI
Mr. S. DABROWA

Romania:

Mr. N. ECOBESCO
Mr. O. IONESCO
Mr. A. COROIANU
Mr. C. MITRAN

Sweden:

Mr. A. EDELSTAM
Mr. R. BOMAN

Union of Soviet Socialist
Republics:

Mr. A.A. ROSSHCHIN
Mr. O.A. GRINEVSKY
Mr. V.V. SHUSTOV

United Arab Republic:

Mr. H. KHALLAF
Mr. O. SIRRY
Mr. M. SHAKER

United Kingdom:

The Rt. Hon. F. MULLEY
Mr. I.F. PORTER
Mr. R.I.T. CROMARTIE
Mr. D. MOSS

United States of America:

Mr. A.S. FISHER
Mr. S. DePALMA
Mr. C.G. BREAM
Mr. A.F. NEIDLE

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

Deputy Special Representative of the
Secretary-General:

Mr. W. EPSTEIN

1. The CHAIRMAN (Brazil): I declare open the 358th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.
2. Before I call upon the first speaker on my list, I hope I may be allowed to express my personal feeling of gratification and deep sense of responsibility in joining the Committee once again in this great common endeavour towards international peace and security. It is indeed a source of gratification to meet again so many old friends, dedicated to the same constructive tasks, around this conference table. My country views the proceedings of the Committee with the utmost earnestness and has always given its full support and unwavering collaboration. We are willing and determined to co-operate at all times and in the most constructive manner to ensure that the results achieved here will serve the interests of all mankind and will be consistent with the Purposes and Principles of the Charter of the United Nations.
3. Mr. MULLEY (United Kingdom): First I should like to say how pleased I am to be taking part once again in the deliberations of our Committee and to see so many friends around this table at the beginning of our new session. I should like in particular to welcome the representative of India, Mr. Husain, who is taking part in the work of the Eighteen-Nation Committee for the first time; and the representative of Mexico, Mr. Gomez Robledo, whose valuable contribution to the work of our Committee during the years 1965 and 1966 is remembered by many delegations here.
4. I should like also, speaking, I am sure, for all delegations, to extend a welcome to you, Mr. Chairman, in joining us once again in our deliberations, at a particularly important time in the history of the negotiations on a non-proliferation treaty.
5. I am particularly pleased that we have now moved to a new stage in our negotiations with the submission of a revised treaty text (ENDC/192/Rev.1, 193/Rev.1) by the co-Chairmen. I should like to extend very warm and sincere congratulations and thanks to both our co-Chairmen. It is due very largely to their hard work and patience and their spirit of co-operation and realistic compromise that we have a complete draft treaty before us today. I know how much Mr. Foster would have wished to be here with us during these deliberations on the new draft, to which he made so large a contribution. I had a letter from him yesterday, and it is good to hear that he is making a good recovery and is looking forward to returning to work soon.

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6. I should now like to offer some preliminary observations on that text. When I spoke here on 10 October last year (ENDC/PV.337) I said that my Government considered the draft of 24 August 1967 (ENDC/192, 193) to be a sound basis for negotiation but capable of improvement. The new draft is an improvement. It is longer, consisting of eleven as compared to eight articles, but it is longer to good effect. It contains an article on safeguards. It has also been amended very largely -- and I draw particular satisfaction from this fact -- as a result of proposals made in this Committee.
7. Each Government represented here will of course attach more importance to one article than to another, to one amendment than to another. I should like now to try to estimate the extent to which my own suggestions last October have been incorporated in the text before us. In doing so I hope the Committee will bear with me if I examine the text briefly article by article.
8. The preamble has lost to the operative part of the treaty paragraphs concerning the peaceful applications of nuclear explosions and the establishment of nuclear-free zones. Although a paragraph on further measures of disarmament now appears as article VI in the operative part of the treaty, the original preambular paragraphs on that subject are rightly left intact, since they go into greater detail. The preamble as it now stands seems to me about right.
9. Articles I and II remain unaltered. I have said before in the Committee that to my mind these articles effectively provide for the closing of all loop-holes of practical significance to the proliferation of nuclear weapons, and that the co-Chairmen had finally reached agreement on them by finding simplified language which it would be a mistake to complicate now. That is still my opinion, and therefore I am glad that those articles have not been revised.
10. The most important new element in the treaty is, of course, article III on safeguards. The presentation of this article to complete the draft treaty after so many months is a very important step forward in our negotiations. We in the United Kingdom have taken part in that work, and we know how painfully difficult the negotiations have been. The text presented is the visible result of the vast amount of work that lies behind us. I think we all share a sense of relief that it has at last appeared on this table.
11. The new safeguards article meets the need for unity in diversity. The unity is provided by the International Atomic Energy Agency (IAEA), which will apply

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safeguards based on agreed principles. The diversity lies in the differing circumstances and requirements of the many countries which we hope will sign and ratify this treaty. These two are reconciled not in any artificial way but by the method which is already central to the Agency's application of safeguards: the conclusion of a safeguards agreement between IAEA and the country or countries concerned. In that way it is already possible for the Board of Governors of IAEA to take full account of the many differing circumstances and situations in which safeguards are accepted.

12. We believe that the present safeguards article will permit IAEA to negotiate agreements that take account of the fact that some of the parties are members of a regional organization that has its own safeguards system. What is important is that the safeguards established by the various agreements should achieve the same result, that they should inspire equal confidence that all the parties to the treaty are fulfilling its obligations. The details of the agreement will necessarily differ to take account of the circumstances of each case; but it is clear that IAEA must be enabled on a continuing basis to take appropriate measures to ensure that the safeguards are fully effective in every case.

13. In this connexion my Government noted with approval the interpretation made by the representative of the United States, Mr. Fisher, when he said, in introducing the draft text of article III at our last meeting:

"... the reference to the Agency's safeguards system in that first paragraph should not be construed as incorporating the present IAEA safeguards system documents in the treaty in the sense that a treaty amendment would be required to revise the IAEA safeguards documents."

(ENDC/PV.357, para. 50)

As Mr. Fisher rightly said, that interpretation is reinforced by the paragraph in the preamble to the treaty supporting the development of improved techniques within the framework of the IAEA safeguards system. We believe that that reference to the IAEA system should not, and indeed does not, have the effect of freezing the existing safeguards system. This system is bound to develop in the light of experience, and clearly amendments to the non-proliferation treaty are not required whenever it is thought right to introduce improved procedures in IAEA safeguards systems.

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14. If we are agreed that safeguards must be effective, we must also know what they are for. The first paragraph of article III of the new draft clearly states that the exclusive purpose of the safeguards to be applied under the treaty is "... verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices". The draft also makes it clear that safeguards must be applied to all "source or special fissionable material in all peaceful nuclear activities" of the non-nuclear-weapon States parties to the treaty.
15. The words "source and special fissionable material" are specialized terms drawn from the Statute of IAEA; but the general meaning of the obligation is clear even to the layman. The purpose of non-proliferation safeguards is to assure all parties to the treaty that nuclear materials are not illegally diverted to the manufacture of nuclear weapons. The purpose is not to poke and pry into the peaceful nuclear activities of the non-nuclear-weapon States; still less is it to provide opportunities for commercial espionage or to hamper the development of new civil nuclear techniques by unnecessarily costly and time-wasting checks, which could give a commercial advantage to those who remain safeguard-free. I am confident that in negotiating the safeguards agreements IAEA will bear that exclusive purpose firmly in mind. Indeed the United Kingdom, as a member of IAEA, will do its best to ensure that that will be so.
16. Finally, while still on the subject of safeguards, I should like to say a word about discrimination. The draft now before us would apply compulsory safeguards only to the non-nuclear-weapon States; and indeed, bearing in mind the purpose which I have just outlined -- to prevent the diversion of nuclear materials to weapon purposes -- it would, logically, be absurd to apply this criterion to the nuclear-weapon States, which are not forbidden by the treaty to manufacture nuclear weapons. Nevertheless, my Government fully recognizes the justification of the claim that, even though safeguards will not be intrusive or burdensome or open the way to industrial espionage, it is still important to do what we can to eliminate discrimination in all aspects of the treaty. It is for that reason that we have made the safeguarding offer which was described to this Committee on 5 December 1967 (ENDC/207; PV.353, para. 6). I think the Committee will recognize that offer as a serious and useful contribution to the search for final agreement on this most important subject.

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17. Article IV, on the peaceful uses of atomic energy, spells out, as did article IV of the previous draft, a conviction expressed in one of the preambular paragraphs. However, whereas the version of 24 August had only negative force, the new version... imposes a positive obligation on parties to the treaty to co-operate in contributing to the further development of the application of nuclear energy for peaceful purposes, especially -- and this is the second improvement -- in the territories of non-nuclear-weapon States parties to the treaty, a phrase which is taken from the amendment proposed by Mr. Castañeda (ENDC/196).

18. We in the United Kingdom have for long advocated the fullest possible co-operation in the field of civil nuclear development. We were, it will be recalled, one of the founders of IAEA, whose main purpose is to promote such co-operation. We have a highly-developed civil nuclear programme in Britain and undertook an extensive reactor programme which has proved very successful. We well appreciate, therefore, the concern of other countries which see in civil nuclear energy prospects for accelerated industrial development, and also that of those countries to which nuclear energy might make the difference between their present poverty and the relative prosperity they see in the more industrially developed areas of the world.

19. The staggering expense, on the other hand, of a nuclear-weapon programme came through very clearly in the United Nations Secretary-General's recent and very valuable report on the effects of the possible use of nuclear weapons and on the security and economic implications for States of the acquisition and further development of these weapons (A/6858). That report estimates that the cost of acquiring and deploying a modest nuclear armament over ten years would be at least \$1,700 million, or \$170 million per year (para.67). The cost of a small, high-quality nuclear force is estimated at \$5,600 million, or again \$560 million a year for ten years (para.68). The report unhesitatingly concludes that, whatever the path to national and international security in the future, it is certainly not to be found in the further spread and elaboration of nuclear weapons (para.94). I very much hope that that report will receive a wide circulation in all Member countries.

20. This treaty will, of course, block the way to the acquisition of nuclear weapons; but it will at the same time open the way to further co-operation in the field of civil nuclear energy. Improved co-operation will flow from the increased confidence and sense of security which the treaty, now incorporating a safeguards article, should

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provide. In these circumstances the amendments which have been made to the earlier article IV will strengthen the co-operation we all desire, and therefore they have our full support.

21. I turn now to article V, on peaceful nuclear explosions. I said on 10 October 1967 that in our view the treaty should contain a formal commitment to make available any benefits that might eventually arise from the peaceful application of nuclear explosions (ENDC/PV.337, para.44). I am happy to see that commitment now written into the body of the treaty.

22. As I explained to the Committee, the proposed Mexican amendment (ENDC/196) would have imposed on us as a nuclear-weapon Power obligations which, in the foreseeable future at least, we should not be in a position to fulfil. I note with satisfaction that the wording before us avoids that difficulty. It seems unlikely that it will be practicable or economic for us to develop the technology of peaceful explosions; but if we should do so we shall make our contribution under the terms of this article. Meanwhile my Government will co-operate in every way possible on the elaboration of a separate agreement to deal with the details and arrangements by which the benefits of the application of nuclear explosives to peaceful purposes will be made available to all.

23. Article VI concerns what is certainly the most important by-product of the treaty and one of its most important provisions. Most of us have spoken at one time or another on the need for a link between this treaty and further measures of disarmament; and my own Government has consistently held the view that the treaty should and must lead to such disarmament. If it is fair to describe the danger of proliferation as an obstacle to disarmament, it is equally fair to say that without some progress in disarmament the non-proliferation treaty will not last. Around this table there have sometimes been lone voices representing particular interests or points of view. On this issue -- the need for the nuclear-weapon Powers to follow up this treaty with some further measure of disarmament -- the Committee has been unanimous.

24. One way of providing this necessary, balancing obligation between the nuclear and non-nuclear signatories was to write the undertaking into the body of the treaty. I suggested on 10 October that of the measures previously listed in the ninth and eleventh preambular paragraphs the most logical one to transfer to the operative part

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of the treaty was that relating to the cessation of the nuclear arms race (ENDC/PV.337, para.50). In the event it has also proved possible to include reference to measures of disarmament and to a treaty on general and complete disarmament.

25. As I have made clear in previous speeches, my Government accepts the obligation to participate fully in the negotiations required by article VI; and it is our desire that these negotiations should begin as soon as possible and should produce speedy and successful results. There is no excuse now for allowing a long delay to follow the signing of this treaty, as happened after the partial test-ban treaty (ENDC/100/Rev.1), before further measures can be agreed and implemented.

26. To some extent these very welcome amendments meet my suggestion, embodied in my amendment (ENDC/203), that the matters dealt with in the preamble to the treaty should be reviewed, along with the purposes and provisions of the treaty itself, at the conference specified in article VIII, to be held five years after this treaty comes into force. But the preamble is still wider than the new article VI in the disarmament field and indicates in some detail what needs to be done, as well as containing an important declaration of intent to achieve at the earliest possible date the cessation of the nuclear arms race. It also refers to other important matters. Therefore I still attach importance to the examination of these issues by the review conference, and would ask the co-Chairmen to consider further whether they cannot recommend the insertion of that amendment in the text. I would also welcome the views of other delegations on it.

27. I have not previously commented on the proposal made by the delegation of Mexico in document ENDC/196 that the preambular provision regarding the establishment of nuclear-free zones be incorporated in the operative part of the treaty. It has now been incorporated in article VII. We welcome this as evidence of the importance to be attached to such zones and of the force they represent for the maintenance of peace and security in the world. I should like to mention here the great pleasure it has given my Government to be the first nuclear-weapon Power to sign, as it did on 20 December last in Mexico City, Additional Protocols I and II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (ENDC/186), a treaty designed to make the Latin American region the first inhabited nuclear-free zone in the world.

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28. I turn now to article VIII. The part dealing with amendments to the treaty contains two ideas. The first was already in the text before us last August and provides for parties represented on the IAEA Board of Governors to have a veto on amendments. The second idea which is familiar to us from the outer space treaty (General Assembly resolution 2222(XXI)), gives each party the option to accept or reject any amendment for itself. There were many who felt that such a permissive clause would create instability in the treaty. Many others, however, expressed the contrary view that, in the words of the representative of Romania when he spoke on 16 November last:

"... the concern to give stability to the treaty cannot justify a procedure aimed at compelling signatory States to accept treaty amendments with which they are not in agreement". (ENDC/PV.348, para.20)

I think one must appreciate the reluctance of countries to commit themselves at the time of signing a treaty to future obligations stemming from amendments to that treaty which they cannot foresee or control. On balance, therefore, and in order to encourage the widest possible adherence to the treaty, we share the view of the co-Chairmen that a permissive concept should be introduced into the article on amendments.

29. I also find myself in agreement with the recommendation in article IX that the number of ratifications by non-nuclear-weapon signatories be fixed at forty. That number seems to me about right: low enough to allow the treaty's early entry into force, and high enough to ensure that the treaty is effective from the outset.

30. Article X provides for a conference to be convened twenty-five years after the entry into force of the treaty to decide whether the treaty shall continue in force indefinitely or shall be extended for additional fixed periods. To be quite frank, my Government preferred the provision for a treaty of indefinite duration as in the previous draft. The withdrawal provision in the first sentence of that article, which remains unchanged, already protected, in our view, the vital security interests of all signatories. It is surely inconceivable that anyone, having ratified the treaty, would wish to withdraw from it without compelling reason.

31. However, the new version takes into account the concern of many countries that circumstances might alter and that a treaty of this importance should be open to termination in due course if its wider purposes, including the need for further disarmament measures, are not being achieved. It also recognizes the need to give

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the treaty an assured existence long enough to enable it to serve one of its major purposes: that is, to constitute a basis of confidence for further disarmament. Like article VIII, it has all the hallmarks of realistic compromise, and as such I can accept it.

32. One important aspect of non-proliferation which is not dealt with in the draft treaty itself is, of course, the question of security assurances to be given to non-nuclear-weapon States. It seems reasonable for non-nuclear -- particularly non-aligned -- countries which forgo their option to acquire nuclear weapons to be given some kind of guarantee against nuclear attack or nuclear threat; and I hope that a recommendation will soon be made to the Committee on that matter.

33. I said at the beginning of my remarks today that we had now moved into a new stage in our negotiations with the presentation of this revised draft. The revisions all tend to make this treaty more widely acceptable and take account of suggestions made from many different sources. As the Canadian Secretary of State for External Affairs, the Honourable Paul Martin, pointed out in his message to the Committee read at our meeting of 18 January (ENDC/PV.357, para. 73), the final treaty is not going to satisfy every country completely. No international treaty ever does. But the current draft goes a long way towards reconciling our various interests. As I suggested to the Committee on a previous occasion, we must not allow the best to become the enemy of the good, in our approach to this treaty. It does not go as far as many of us would like; but its implementation is very much desired, not for its own sake alone but as a further step in the direction we want to go.

34. The prompt submission of this draft treaty text on the first day of our new session gives us the rest of the session in which to complete our work in the Eighteen-Nation Committee. However, our time is limited; it is essential for us to maintain the momentum. If we continue our negotiations intensively I see no reason why we should not be able to present the full report for which the General Assembly has called by 15 March (resolution 2346A(XXII); ENDC/210), indicating a wide measure of agreement on a draft non-proliferation treaty which will prove acceptable to the international community. I see no reason why we should not increase our productivity in this Committee and meet more frequently. We need now a detailed and perhaps less formal discussion of all the articles, now that we have a full text before us. I hope also that all delegations will press upon their governments the need for urgency in coming to decisions.

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35. We are making progress, but we still have a long way to go before we achieve this treaty for which so many people have been waiting for so long and thus make further and positive progress towards disarmament. We must not falter and fail them now.

36. Mr. WINKLER (Czechoslovakia): Allow me, Mr. Chairman, to join the representative of the United Kingdom in extending a hearty welcome to you on your resumption of the leadership of the Brazilian delegation in this Committee. I personally had not the privilege of being with the Committee in the years of your participation here. I know, however, from members of my delegation and from the records of the work of the Committee, of your valuable contribution to its work.

37. I should like also to join previous speakers in heartily welcoming the new representative of India, Mr. Husain, and the return to the Committee of Mr. Gomez Robledo as representative of Mexico. I am sure they will both greatly contribute to our work. I wish them complete success in their new or renewed activities.

38. For my part, I pledge the full co-operation of the Czechoslovak delegation with the Indian and Mexican delegations, as well as with the Brazilian delegation, in accordance with the tradition already established between our delegations and in the spirit of the friendly relations between our countries.

39. Allow me to express on behalf of the Czechoslovak delegation our satisfaction that with the resumption of the work of our Committee we have before us complete, identical drafts of a treaty on the non-proliferation of nuclear weapons, submitted at this year's opening meeting by the Union of Soviet Socialist Republics, and the United States of America (ENDC/193/Rev.1; 192/Rev.1). Those drafts of a treaty are the result of difficult and patient negotiations, in the course of which all delegations present here contributed in some way to the necessary rapprochement of views.

40. I think it is possible with full right to note that the texts now before us are the result of long joint efforts by all the partisans of the conclusion of a treaty to halt the proliferation of nuclear weapons. I am convinced that I am expressing the opinion not only of the Czechoslovak delegation when I stress in this connexion the particular share of the co-Chairmen in the preparation and elaboration of those texts.

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41. Proceeding from a detailed study of documents ENDC/192/Rev.1 and ENDC/193/Rev.1, and from a careful evaluation of the possible alternatives discussed in the course of the negotiations, we believe that the treaty drafts now before us satisfy the requirements placed from the very beginning on a treaty on the non-proliferation of nuclear weapons. They fully correspond to the recommendations adopted over a number of years by the General Assembly of the United Nations in its resolutions dealing with the question of the prohibition of a further spread of nuclear weapons.
42. The key point in that respect is the requirement that the treaty should unequivocally prohibit the further proliferation of nuclear weapons in any form and leave no loop-holes whatsoever for evading that prohibition (resolution 2028 (XX); ENDC/161). That fundamental condition is fully respected by the formulations of articles I and II of the drafts of the treaty, ensuring that the non-proliferation treaty will fulfil its basic task in a satisfactory way.
43. In addition, with regard to the positions advanced in the preceding preparatory stage by a number of States both in this Committee and outside it, further important provisions have been included in the draft treaty under discussion. Owing to that fact, the latest drafts of the treaty, in our opinion, provide all the parties with reasonable guarantees not only regarding the non-proliferation of nuclear weapons but also regarding the rightful interests and claims of non-nuclear-weapon States related to further problems directly connected with the prohibition of the proliferation of nuclear weapons.
44. The most important contribution of the new drafts is that they provide in an adequate way for effective international safeguards regarding the observance of the provisions of the treaty. As is well known, the problem of safeguards had been for many months the most essential question still to be solved and the last serious obstacle preventing the submission of complete texts of a draft treaty. The adversaries of effective measures to halt the further spread of nuclear weapons tried to impede the reaching of an agreement by submitting requirements that certain States should be excluded from the sphere of the uniform safeguards system and provided with a privileged position. On the other hand, an overwhelming majority of States have from the beginning been in favour of the principle that those safeguards would have to be universal and uniform for all non-nuclear-weapon States parties to the treaty.

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45. There has been a wide consensus that the most feasible way of achieving that aim would be the utilization of the safeguards system of the International Atomic Energy Agency (IAEA), which has been accepted by most States Members of the United Nations and which has already been successfully applied in a number of States.

That opinion is fully shared also by the Czechoslovak Socialist Republic.

Therefore it is appreciated by the Czechoslovak delegation that article III of the new draft of the treaty clearly confirms the principle that the responsibility for the safeguards rests with IAEA, which must have the opportunity to satisfy itself that fissionable material is in no case diverted, in the countries subject to safeguards under the treaty, from peaceful uses to the production of nuclear weapons or of other nuclear explosive devices. In our opinion, this solution of the question of safeguards removes the most serious obstacle which, especially in the final stage of negotiations, barred the way towards agreement.

46. Taking into due consideration the observations, comments, suggestions and amendments submitted by a number of States with regard to some provisions of the original drafts of the treaty submitted on 24 August 1967 (ENDC/192, 193), the revised texts contain more detailed stipulations on a number of questions of specific interest to the non-nuclear-weapon States, in particular on such problems as those concerning the peaceful uses of nuclear energy, the carrying out of nuclear explosions for civil purposes, and the link between the treaty on non-proliferation of nuclear weapons and further disarmament measures, particularly in the field of nuclear weapons, as well as the right of individual groups of States to conclude treaties on the establishment of zones free of nuclear weapons.

47. Owing to the inclusion of those new provisions on such important problems, the drafts of the treaty enable not only the realization of the tasks connected with the prohibition of a further spread of nuclear weapons; at the same time they afford a suitable basis and open wide possibilities for unlimited peaceful uses of nuclear energy in the interest of the all-round development of all States, regardless of whether or not they possess nuclear weapons.

48. My delegation is convinced that within a short time it will be possible to reach agreement on the final wording of the treaty. The newly-proposed articles of the treaty testify to the good will of the authors of the drafts and to their efforts to comply to the maximum extent with the constructive observations and

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suggestions resulting from the negotiations carried out so far. They testify to their willingness to make serious compromises when formulating the individual provisions, and to include in the treaty solutions for all those questions that can be solved and regulated within its framework. At the same time, however, it was necessary, when seeking mutually-acceptable formulations, not to lose sight of the necessity for not weakening the efficiency of the treaty and for not leaving any loop-holes which would make it possible to evade or circumvent the banning of the further spread of nuclear weapons. On the other hand, it is evident that it is not possible to deal in the treaty with problems which exceed its framework and which call for separate solutions.

49. Naturally, the fact that suggestions related to such matters have not been solved in the treaty does not mean that their justification and importance in the context of negotiations on disarmament are being denied. On the contrary, we believe that those questions will remain on the agenda and will be subject to considerations regarding further steps to be taken either separately or as parts of more complex and wider measures. In that respect we fully share the view, stated repeatedly both in our Committee and elsewhere, that the non-proliferation treaty will create more favourable conditions for reaching agreement on and the implementation of further disarmament measures. We also subscribe fully to the view formulated in several resolutions of the United Nations General Assembly that the non-proliferation treaty should be a step towards general and complete disarmament and in particular towards nuclear disarmament. It follows therefrom that it will be possible to consider in the future all proposals which are incompatible with the limited mission of the non-proliferation treaty.

50. If we take into consideration the basic criteria by which we have been guided while discussing the problems of non-proliferation, we come to the conclusion that the two co-Chairmen have successfully fulfilled their mission, and that their draft texts enable our Committee to bring the negotiations on the question of non-proliferation to a successful and speedy end and to submit in time to the United Nations General Assembly the final draft of a treaty acceptable to all States, as requested by the United Nations Secretary-General, U Thant, in his message delivered to our Committee at the opening meeting of this session (ENDC/PV.357).

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51. From that point of view the time limit set by the United Nations General Assembly for the presentation of the full report on the discussions of the Committee on the draft non-proliferation treaty (resolution 2346 A (XXII); ENDC/210) is, in our opinion, fully sufficient. Any further delays might serve only the purposes of those who do not wish to conclude a treaty on the non-proliferation of nuclear weapons. It is not necessary for me to elaborate further on the fact, generally admitted and many times emphasized, that unless the Committee this time fulfils the expectations of the peoples of the whole world, not only will the conclusion of the non-proliferation treaty be jeopardized but also the prestige of the Committee will be lost -- not to speak of the fact that the conditions for further negotiations on other disarmament problems will deteriorate considerably.

52. Fully aware of those facts, and in harmony with our policy of support for effective measures to be taken to halt any further spread of nuclear weapons, a policy pursued unswervingly by the Government of the Czechoslovak Socialist Republic, the Czechoslovak delegation is ready to do its utmost to contribute to a successful and early completion of the negotiations in the Committee on non-proliferation -- in any case within the time limit set forth in the General Assembly resolution.

53. Mr. BURNS (Canada): Before beginning my prepared address, I should like to associate myself with the words of welcome which have been addressed to you, Mr. Chairman, on your rejoining the Eighteen-Nation Committee on Disarmament. We recall your effective contributions to our work when you were the representative of Brazil in the early days of the Conference; and we greatly look forward to your collaboration in the important stage of the negotiations we are now beginning.

54. The Canadian delegation has already warmly welcomed the revised draft of a non-proliferation treaty (ENDC/192/Rev.1, 193/Rev.1) which the co-Chairmen have agreed upon and have presented us with. We have come a long way in these negotiations since the United States and the Soviet Union first circulated their respective draft treaties in 1965 and 1966 (ENDC/152, 164). Since those texts were presented there have been two important United Nations General Assembly resolutions -- 2028(XX) (ENDC/161) and 2153(XXI) (ENDC/185). Furthermore, in

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1966 the eight non-aligned members of this Committee produced their joint memorandum (ENDC/178). All three of those documents enunciated principles to be observed in drafting a non-proliferation treaty.

55. The draft treaty now submitted to us takes account not only of the concerns of the great Powers and their allies but also of the concerns of the non-nuclear States, as expressed in the three documents I have referred to and in the discussions held in this Committee last year. The revised text appears to the Canadian delegation to be materially better than the text of 24 August 1967 (ENDC/192, 193). In our opinion, the members of the Committee are entitled to feel some satisfaction over the improvements which our discussions have brought about. We think they have resulted in a more generally acceptable treaty.

56. As early as 12 September last (ENDC/PV.329, para.2) I indicated that the Canadian Government was in general agreement with the essentials of the draft of 24 August; and I can say now that it is in agreement with the essentials of the present draft. However, in certain of its subsidiary clauses the new text does not accord in every respect with our views; and we think there are still a number of places in which it could be further improved without disturbing the agreement which has already been reached on essential points. It is important, of course, that this Committee should give careful consideration to possible further improvements; for, if we neglect to do so, the General Assembly itself will then need to examine points we have overlooked, and we shall not have properly fulfilled the task laid on us by successive resolutions on non-proliferation.

57. In discussing this text, the Canadian delegation will be guided by the principle that any position which is known to be held extensively within the Committee and by States not represented here should be regarded by all members, including especially the co-Chairmen, as carrying very substantial weight. Correspondingly, changes which are favoured by only a small number of States and are opposed by a large number, in our view, would only be likely to make the treaty less generally acceptable, and therefore should be put aside.

58. It is with the object of increasing the treaty's acceptability rather than from the narrow viewpoint of special Canadian interests that we have studied the co-Chairmen's revision. During the three-and-a-half months of discussions before we adjourned, a number of positions appeared to be held in common by States not

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possessing nuclear weapons, whether aligned or non-aligned. The first of those positions concerned the general development of the peaceful uses of nuclear energy. The second concerned peaceful applications of nuclear explosions. The third concerned further disarmament measures. Those matters were of special importance to many non-nuclear-weapon States because they appeared to offer the most promising possibilities for improving the balance of obligations in the treaty.

59. The Committee is indebted to the former representative of Mexico, who so clearly identified those areas of common concern in his address of 19 September 1967 (ENDC/PV.331, paras. 4 et seq.) and in the amendments contained in his working paper (ENDC/196). We hope the other members of the Committee will agree with us in thinking that the changes which have been made by the co-Chairmen in the light of the Mexican and other suggestions and in the ensuing discussion of them have made the treaty more readily acceptable.

60. Article IV, on the peaceful development of nuclear energy, is phrased more positively and constructively now that it embodies the idea of the obligation of States with advanced nuclear programmes to assist the less-advanced States. We hope that both classes of States will find the new draft satisfactory.

61. The new article V, concerning application of peaceful nuclear explosions, will, we think, meet the views of most delegations better than the previous passage in the preamble. However, as the Committee will recall, the Canadian delegation has been particularly concerned about this matter. We discussed it at some length at our meeting of 12 September 1967 (ENDC/PV.329, paras. 12 et seq.). We observed that it would be undesirable to encumber the treaty with too many or too specific related but peripheral arrangements. We suggested instead what might be the basic elements of a separate but parallel agreement on peaceful nuclear explosive services. This is a matter to which I expect to revert at a later date. In the meantime I can say that the new article appears to be aimed at setting out an appropriate sort of juridical engagement.

62. Another point concerning this article is that the references in the final sentence to bilateral arrangements raise the question of whether explosive services arranged bilaterally will be subject to the same criteria or controls as international arrangements. Might not the present language, which does not indicate any element of international supervision over bilateral arrangements,

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create apprehensions of possible clandestine nuclear co-operation for military purposes between nuclear and non-nuclear-weapon States under the guise of bilateral explosive services? In other words, might there not be a loop-hole opened up here for forms of nuclear explosion co-operation leading to the further spread of nuclear-weapon technology and of nuclear weapons?

63. The new article VI, embodying an undertaking to pursue disarmament negotiations in good faith, in our view constitutes a more specific commitment by the nuclear Powers than the previous simple preambular statement of intention. It also appears to us to imply an obligation accepted not only by the nuclear Powers but also by all other signatories.

64. The Canadian delegation previously stated that the preambular provision in the texts of 24 August respecting the conclusion of regional treaties appeared to us to be satisfactory. However, we are quite happy to accept the adjustment which has produced the new article VII.

65. We are also in agreement with the revised article VIII. At our meeting on 6 November 1967, when discussing the changes proposed on 19 October by the Romanian delegation in document ENDC/199, we indicated that we shared the view that the proposed treaty would become more widely acceptable if amendments to it were to come into effect only for those parties which ratified them (ENDC/PV.345, para. 34). We are glad to see that the co-Chairmen have made that change in revising article V as it appeared in documents ENDC/192 and ENDC/193.

66. Turning now to article IX, the Canadian delegation believes that forty will be about the right number of ratifications required to bring the treaty into effect; and we hope that that will happen with a minimum of delay. We also hope that States with a present capacity to embark on nuclear-weapon programmes will be among the first to sign and ratify so that the treaty may be as effective and important as possible from the outset.

67. We note that the question of depositary governments has not yet been dealt with. From the Canadian point of view that is not a substantive matter, and we can accept any arrangement which is generally acceptable. We shall probably wish to speak on that subject when a definite proposal is forthcoming.

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68. The Canadian delegation is naturally very happy that at last the co-Chairmen have reached agreement on a draft text for article III. We have never underestimated the difficulties involved in framing this particular article. It has perhaps been easier for Canada to take a relaxed attitude than for some other countries. On the one hand, we have from the outset been a strong proponent of the International Atomic Energy Agency (IAEA) safeguards system. On the other hand, we accept the proposition that in applying safeguards under the treaty we should take advantage of an existing regional system which has been functioning effectively for some years and will continue in being for reasons unrelated to the non-proliferation treaty. For some time Canada's policy has been to apply international safeguards to all exports of Canadian nuclear material; but those safeguards are not in all cases those of the IAEA.

69. It always appeared to us that satisfactory agreements could be negotiated between signatory States and IAEA, either directly or through organizations of which they were members and which had the same purposes as IAEA, and that through such agreements it could be verified to the satisfaction of all parties that the provisions of the treaty prohibiting diversion of nuclear materials from peaceful to warlike purposes were being observed. Therefore we welcome agreement on a formula which provides for such negotiations in a manner which would not impair the integrity of the treaty safeguards system.

70. We feel, however, that the text of the first sentence of the first paragraph of article III may contain a certain element of ambiguity. There seems to be some possibility of reading it as meaning that the safeguards under the non-proliferation treaty might be frozen to the procedures now current in the present IAEA system. We welcome, as did the representative of the United Kingdom, the assurance of the representative of the United States given at our meeting on 18 January that that sentence in the first paragraph of the article is not to be understood in the way I have mentioned (ENDC/PV.357, para. 50). We should be happy if the representative of the Soviet Union would also at some convenient time assure us that his interpretation of that sentence in the article is the same as that of the United States representative.

71. A safeguards article of the kind now before us, providing as it does for different treatment for the nuclear-weapon Powers from that accorded the non-nuclear-weapon States, has been criticized as discriminatory and contrary to the principle

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that there should be an acceptable balance of mutual responsibilities and obligations. The Canadian delegation does not deny that such criticisms are valid, and indeed the Canadian Government would have very much preferred equal treatment for all parties to the treaty. But we do not think it would be helpful at this stage to urge renegotiation of the article to make it wholly non-discriminatory. We consider that, if the members of the Committee should now insist on such a fundamental change, we might become responsible for failure to achieve a treaty at all. As the Canadian delegation pointed out before the recent adjournment, the announcement by two of the nuclear-weapon States represented on this Committee of their willingness to accept safeguards on their own peaceful nuclear programmes at such time as the safeguards come into effect under the treaty is evidence of the desire of those States for a safeguard régime which as far as possible applies equally to all parties to the treaty (ENDC/PV.355, para. 3).

72. Article VII of the drafts of 24 August has become article X in the new text and has had an important change introduced. The former text states that the treaty shall be of unlimited duration; while the new one provides for a conference after twenty-five years to decide whether the treaty shall be continued in force indefinitely or shall be extended for an additional fixed period or periods. Canada previously accepted the idea of a treaty of unlimited duration. However, we recognize that other States whose participation in the treaty is of great importance have favoured a limited duration. We hope the revised clause will meet the concerns they have expressed. For our part, the provisions of the revised article X are acceptable.

73. As other speakers have mentioned, there is one matter of widespread concern with which the co-Chairmen have not dealt. That is the matter of security assurances, which several delegations have discussed at some length and with respect to which amendments were proposed. We are well aware that this question is of greater concern to non-aligned States than to those which, like Canada, are allied with nuclear Powers. We have already made clear our full appreciation of their problem. All I wish to say for the present is that we still believe, as we have previously stated, that the most promising means of dealing with this very difficult matter would be by action parallel to but separate from the treaty.

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74. I have said that we are in favour of a thorough examination of the new text, and so the Canadian delegation expects to participate further in the discussions as our debate develops. However, the general principles and many of the particular provisions have been extensively discussed since the presentation of the "Irish resolution" (1665(XVI)) in 1961 -- going back nearly to the beginning. There have been nearly four months of specific discussions since the co-Chairmen's drafts were submitted on 24 August last. The Canadian delegation hopes that at this stage the Committee will go over as little old ground as possible. It appears to us that by now a sufficient degree of consensus exists regarding what should be in the treaty, so that our present discussion can be relatively concentrated and detailed and, as we hope, addressed to the purposes of ensuring that the treaty will be as widely acceptable as possible and enabling as many members of this Committee as possible to advocate the text vigorously when it goes to the United Nations General Assembly.

75. The Canadian delegation hopes that others will not press the co-Chairmen again on matters for which they did not find general support in the Committee. Cannot all delegations agree that a treaty which is intended to be acceptable to all sovereign States has no room for special provisions to which many are known to be opposed? If we can do so, we should be able to make good progress and produce a text for the General Assembly well before 15 March, the date by which our full report has been requested (resolution 2346 A (XXII); ENDC/210).

76. This Committee -- and indeed the United Nations -- is at a critical juncture in disarmament negotiations. If we are able in the next few weeks to come to a consensus on a draft treaty for consideration by the General Assembly, we shall have given an important impetus to disarmament. Conversely, if all members of the Committee strive for their own versions of perfection, we may find ourselves with no treaty and little prospect of anything further in the direction of disarmament.

77. There have been over twenty years of disarmament talks since the end of the Second World War; and during that time much of the effort of many participants and other Members of the United Nations has been devoted to seeking ways and means of persuading the great Powers, and especially the United States of America and the Soviet Union, to come to agreement. Now that we have a draft treaty on which the Soviet Union and the United States are agreed, our efforts should be directed, in the Canadian view, to improving the acceptability of the treaty so that it may consolidate agreement among the nuclear Powers, without which it is difficult to envisage any further progress towards disarmament.

78. The CHAIRMAN (Brazil): I wish to thank the representatives of the United Kingdom, Czechoslovakia and Canada for their kind and generous words addressed to me. I assure them that I shall do my best, during the temporary absence of Ambassador Azeredo da Silveira, who is attending the UNCTAD Conference in New Delhi, to co-operate with them and with all members of the Committee in the most constructive manner.

79. Let me also extend a warm welcome to the representatives of India and Mexico, who are taking up their duties with this Committee.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 358th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador J.A. de Araujo Castro, representative of Brazil.

"Statements were made by the representatives of Brazil, the United Kingdom, Czechoslovakia and Canada.

"The next meeting of the Conference will be held on Thursday, 25 January 1968, at 10.30 a.m."

The meeting rose at 11.55 a.m.